

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

JANE DOE as next friend for “FIONA,” a minor,
“ERIN,” “VICKY,”
JANE ROE as next friend for
“SKYLAR” and “SAVANNAH,” minors,
JOHN DOE as next friend for “SALLY”
and “SIERRA,” minors, and “SARAH”

Civ. No. 16-cv-00303-DSC

**MOTION TO REOPEN CASE AND
FOR PERMISSION TO FILE
UNDER SEAL MINOR
PLAINTIFF FIONA’S
SETTLEMENT**

Plaintiffs,

v.

KIRK NESSET,

Defendant.

STATEMENT OF RELIEF REQUESTED

Jane Doe, on behalf of the minor Plaintiff Fiona, moves this Court to reopen this case and for permission to file under seal a petition to approve minor Plaintiff Fiona’s settlement. Plaintiff Fiona requests the Court conduct an inquiry to determine whether the settlement negotiated by her next friend and counsel serves her best interests and is reasonable in light of the facts and specific claims at issue. Counsel for Plaintiff Fiona has prepared a petition for the Court to approve the settlement of Fiona’s claims against the Defendant which they intend to file with the Court as required by Western District of Pennsylvania Local Rule of Civil Procedure [LCvR] 17.1.

Due to the sensitive nature of the information contained in the petition regarding Fiona and the other plaintiffs, Plaintiff Fiona requests permission to file her petition for approval of settlement under seal as permitted by Western District of Pennsylvania Local Rule of Civil Procedure [LCvR] 5.2(H). This Court has granted permission for Fiona and the other plaintiffs to proceed via pseudonyms because of they are child pornography victims. Docket Document 8

filed 12/21/16. Additionally, Plaintiff Fiona requests permission to file under seal because of the agreed to confidentiality provisions contained in the settlement agreement between the plaintiffs and the Defendant.

FACTS

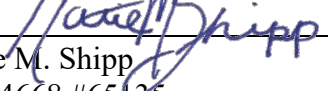
On April 27, 2018, counsel for both parties participated in a session with mediator Judge Kenneth Benson. After lengthy negotiation, Defendant and Erin, Vicky, Jane Roe as next friend for Skylar and Savannah, John Doe as next friend for Sally and Sierra, and Sarah entered into a settlement agreement. Skylar, Savannah, Sally, and Sierra are minors and have undertaken infant compromise and/or guardianship proceedings which allow Jane Roe and John Doe to settle their civil claims. Defendant has also offered to settle Plaintiff Fiona's claims. Court permission is required to settle Plaintiff Fiona's claim because she is a minor. Plaintiff Fiona has the only remaining unresolved claim in this case.

CONCLUSION

For all the above reasons, Plaintiff Fiona respectfully requests that the Court reopen the case and grant her permission to file under seal a petition to approve the settlement.

Dated this 3rd day of October, 2018.

MARSH LAW FIRM PLLC

by 
Katie M. Shipp
Box 4668 #65135
New York, New York 10163-4668
Telephone: 212-372-3030
Fax: 833-210-3336
Email: katieshipp@marsh.law
Attorney for Plaintiffs Jane Doe, Erin, and Fiona

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

JANE DOE as next friend for “FIONA,” a minor,
“ERIN,” “VICKY,”
JANE ROE as next friend for
“SKYLAR” and “SAVANNAH,” minors,
JOHN DOE as next friend for “SALLY”
and “SIERRA,” minors, and “SARAH”

Civ. No. 16-cv-00303-DSC

Plaintiffs,

v.

KIRK NESSET,

Defendant.

ORDER

UPON CONSIDERATION of the Motion to Reopen Case and for Permission to File
Under Seal Minor Plaintiff Fiona’s Settlement;

IT IS HEREBY ORDERD AND DECREED that this case is reopened and Plaintiff Fiona
can file under seal her petition to approve minor plaintiff’s settlement.

This _____ day of October 2018.

Honorable Barbara Rothstein
United States District Judge